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REMARKS

The Applicant has carefully read and reviewed the Office Action mailed March 25, 2003, and the references cited therewith. Claims 1-17 were rejected. Claims 8-10, 13, 14, and 17 have been amended in this response. The claims have been amended for clarity and consistency only and have not been amended for reasons of patentability. Claims 1-17, as amended, are pending in the application.

Rejections under 35 U.S.C. § 102

Claims 1-10 were rejected under 35 U.S.C. § 102(e) as being anticipated by Fossum (US 6,222,172). As is well known, for a prior art to anticipate under 35 U.S.C. § 102(b), the prior art has to meet every element of the claimed invention. For that reason, the rejection of Claims 1-10 per Fossum is not proper because Fossum does not disclose any apparatus that "introduc[es] a voltage disruption to the nominal voltage" as stated in Applicant's Claim 1, or "a voltage disruption" as stated in claim 8.

Comments On The Rejection Of Claim 1

Specifically, Fossum does not disclose applying a voltage disruption. It is clear from the description in Fossum that the elements of Applicant's claim 1 are not expressly or inherently described. And, for at least the reasons described below, a person of ordinary skill in the field of the invention could not interpret the claimed invention to be the same as Fossum.

Foremost, Fossum does not disclose "introducing a voltage disruption to the nominal voltage" as stated in applicant's claim 1. The plain meaning of the term "disrupt" is well understood as "to interrupt the normal course." Merriam Webster's Collegiate Dictionary (10th ed. 1996).

From the plain meaning of "disrupt", it is clear that Fossum does not describe a voltage disruption. Rather, Fossum merely describes a pulse-controlled LED that has two nominal operating

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voltages, high and low. Fossum, Col. 3, Lines 48-50. One skilled in the art recognizes that a nominal voltage is not a voltage disruption and thus, the switching between two nominal voltages (high and low) could not be considered a voltage disruption. This is evidenced by the fact that Fossum's switching between high and low is a design characteristic to make his LED system work properly.

While an examiner can use the broadest reasonable interpretation of the claims, "The broadest reasonable interpretation of the claims must also be consistent with the interpretation that those skilled in the art would reach. *In re Cortright*, 165 F.3d 1353, 1359, 49 USPQ2d 1464, 1468 (Fed. Cir. 1999)." MPEP 2111. One skilled in the art would not interpret a change from one nominal voltage to another nominal voltage as a voltage disruption; Fossum's change in voltage is the normal course, not an interruption.

Claim 1 clearly describes applying a nominal voltage, introducing a voltage disruption to the nominal voltage, and repeating the voltage disruption and is therefore distinguishable from the designs suggested in Fossum (US 6,222,172).

Comments On The Rejection Of Claim 8

Similar to claim 1, claim 8 describes a "voltage disruption", which is not present in Fossum. Thus, for most of the same reasons stated above, the elements of Applicant's claim 8 are not expressly or inherently described in Fossum. And, for at least the reasons described above, a person of ordinary skill in the field of the invention could not interpret the claimed invention of claim 8 to be the same as Fossum.

Claims 2-7 and 9-10 were rejected under 35 U.S.C. § 102 as being unpatentable. Applicant respectfully traverses the rejection of claims 2-7 and 9-10. Claims 2-7 and 9-10 are dependent claims which ultimately depend

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from claim 1 or claim 8, which are both believed to be patentable over the prior art of record for the reasons discussed hereinabove. Claims 2-7 and 9-10 are thus allowable as dependent claims depending from allowable independent claims and providing additional limitations thereto. Reconsideration and withdrawal of the rejection of claims 2-7 and 9-10 is respectfully requested.

In conclusion, the present claims have significant distinguishable features over Fossum (US 6,222,172). Therefore, the rejection of claims 1-10 under 35 U.S.C. § 102(e) should be withdrawn.

Rejections under 35 U.S.C. § 103

Claims 11-16 were rejected under 35 U.S.C. § 103(a) as being unpatentable. Applicant respectfully traverses the rejection of claims 11-16. Claims 11-16 are dependent claims which ultimately depend from claim 8, which is believed to be patentable over the prior art of record for the reasons discussed hereinabove. Claims 11-16 are thus allowable as dependent claims depending from allowable independent claims and providing additional limitations thereto. Reconsideration and withdrawal of the rejection of claims 11-16 is respectfully requested.

Comments On The Rejection Of Claim 17

Claim 17, as a means plus function claim, incorporates similar limitations to those of claim 1 and/or claim 8, as defined in the specification. Thus, for the same reasons mentioned above with regards to claims 1 and 8, a person of ordinary skill in the field of the invention could not interpret Fossum as providing a voltage disruption, as required by a proper analysis of claim 17. Therefore, the rejection of claim 17 is improper for failing to teach at least one of the claim limitations.

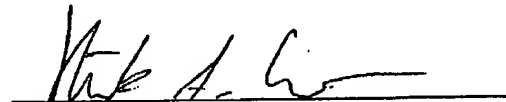
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Conclusion

For the aforementioned reasons, claims 1-17 are believed to be patentable over the prior art of record, therefore, reconsideration and withdrawal of the rejection of claims 1-17 is requested. Applicant respectfully asserts that the present claims particularly point out and distinctly claim the subject matter which is regarded as the invention.

Therefore, it is respectfully submitted that the pending claims are in condition for allowance, and favorable action with respect to the present application is requested.

Date: 9-25-2003


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